

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANDREW KRIVAK, JR.,

Case No.: 7:23-cv-06960 (KMK)

Plaintiff,

-against-

PUTNAM COUNTY, Putnam County Sheriff's
Department Sheriff ROBERT THOUBBORON, in his
individual capacity; Putnam County Sheriff's Department
Officers HAROLD TURNER, DANIEL STEPHENS,
PATRICK CASTALDO, WILLIAM QUICK, JOHN
DANIEL REES, WILLIAM ASHER, in their individual
capacities; Putnam County District Attorneys ROBERT V.
TENDY and KEVIN WRIGHT, in their individual capacities;
Putnam County Assistant District Attorneys LARRY
GLASSER; CHANA KRAUSS; and CHRISTOPHER
YORK, in their individual capacities; District Attorney
Investigator RALPH CILENTO in his individual capacity;
and DENISE ROSE,

**DECLARATION OF
KENNETH E. PITCOFF
IN OPPOSITION**

Defendants.

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KENNETH E. PITCOFF declares as follows pursuant to 28 U.S.C. § 1746:

1. I am an attorney admitted to practice before this Court and am a partner with Morris Duffy
Alonso Faley & Pitcoff, counsel to defendants, Putnam County District Attorneys ROBERT V.
TENDY and KEVIN WRIGHT, in their individual capacities; Putnam County Assistant District
Attorneys LARRY GLASSER; CHANA KRAUSS; and CHRISTOPHER YORK, in their
individual capacities; and District Attorney Investigator RALPH CILENTO in his individual
capacity, (hereinafter collectively referred to as the "PCDA Defendants") in this action.

2. I make this declaration in order to place before the Court certain materials in opposition to
plaintiff's motion to disqualify.

3. Exhibit "A" is a copy of plaintiff's Complaint.

4. Exhibit "B" is an excerpt of specific pages from proceedings related to plaintiff's first
criminal prosecution.

5. Exhibit “C” is a copy of the relevant pages from plaintiff’s most recent criminal trial and the trial judge’s statements on the record regarding his conversation with his former colleague, former Assistant District Attorney Christopher York.

6. The above-referenced exhibits are true and correct copies of what they purport to be.

Dated: July 24, 2024
New York, New York

Respectfully submitted,

Morris Duffy Alonso Faley & Pitcoff

By: *s/ Kenneth E. Pitcoff*

KENNETH E. PITCOFF

Attorneys for Defendants

DA ROBERT V. TENDY, DA KEVIN WRIGHT,
ADA LARRY GLASSER, ADA CHANA
KRAUSS, ADA CHRISTOPHER YORK, and DA
Inv. RALPH CILENTO

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TO: **All Counsel of Record via ECF**

Via U.S. Mail

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